THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.26549 of 2006

DATED: 22.12.2006

Between:

Tatavarthi Manikyala Rao, s/o. Venkataratnam

...

Petitioner

and

Bhimavaram Municipality,
rep. by its Commissioner.

...Respondent

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.26549 of 2006

ORDER:

The matter is coming up for admission. Heard Sri Ch. Dhanunjaya, learned Counsel representing the writ petitioner and Sri Nageshwara Reddy, learned Standing Counsel representing the respondent.

The Writ Petition is filed for a Writ of Mandamus declaring the proposed action of the respondent in constructing the proposed shopping complex on the road margin of DNR College Road by the side of the Old Bus Stand (Yanamadurga Canal road) on the rear side schedule property i.e., Ratnam Enterprises, P.P.Road, bearing D.Nos.3-1-21, 3-1-20, 3-1-25 situated at II Town Bhimavaram, West Godavari district, without even leaving approach road for the ingress

and egress of the petitioner and the devotees of Sri Anjaneya Swamy temple, as illegal, null and void, abuse of power and violative of principles of natural justice and for a consequential order directing the respondent to stop all further proceedings in construction of the proposed shopping complex and to pass such suitable orders.

Several factual details are narrated in para Nos.2 to 8 of the affidavit filed in support of the Writ Petition. It is also stated that a representation was made in this regard, dated 08.05.2005, to the respondent, but the grievance is that even the said representation was not considered and disposed of, in spite of repeated requests.

In the light of the facts and circumstances explained, the Writ Petition is disposed of directing the respondent to consider and dispose of the representation, dated 08.05.2005, of the petitioner at an early date, preferably, within a period of six seeks from the date of receipt of a copy of this Order.

Accordingly, the Writ Petition is disposed of. No orders as to costs.

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(P.S.NARAYANA, J)

Dt:22.12.2006
vv/bsb